

special deputy for each such court when directed so to do by the judges of any such court, except in instances where there is one now provided for by law; provided further, that any such special deputy shall be paid out of the general fund of the county a salary not in excess of the maximum salary per annum provided for deputies now by law, payable monthly, and such compensation shall not be paid out of the fees of compensation of the district clerk, and shall not be taken into consideration in arriving at the maximum compensation and excess fees allowed the clerk of the district court.

Sec. 3. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 4. The fact that the chief deputies in counties having a population of over 36,500 inhabitants containing no city with a population of 25,000 inhabitants and having property of an assessed valuation exceeding thirty million dollars as shown by the tax rolls for the last preceding year are underpaid, creates an emergency and an imperative necessity demanding that the constitutional rule requiring bills to be read on three several days be suspended and that this Act take effect and be in force from and after its passage and it is so enacted.

Reasons for Vote on S. B. No. 13.

I vote "no" on this bill because it takes the election of State Superintendent of Education out of the hands of the people. I believe in the people having a voice in the selection of a man to as important an office as that of being the head of the education system of Texas.

EUGENE MILLER.

TWELFTH DAY.

Senate Chamber,
Austin, Texas.

Monday, May 13, 1929.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem Eugene Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.

Berkeley.

Cousins.
Cunningham.
DeBerry.
Gainer.
Hardin.
Holbrook.
Hornsby.
Hyer.
Love.
Martin.
McFarlane.
Miller.
Moore.
Neal.

Parr.
Parrish.
Patton.
Pollard.
Russek.
Small.
Stevenson.
Thomason.
Westbrook.
Williamson.
Wirtz.
Witt.
Woodul.
Woodward.

Absent—Excused.

Greer.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Witt.

S. B. No. 129, A bill to be entitled "An Act enacting proper provisions for the making of transcripts in civil cases without cost where the appellant or plaintiff in error has made the proof required to appeal his case without bond; regulating same; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Williamson.

S. B. No. 130, A bill to be entitled "An Act to amend Section (d) of Article 6686 of the Revised Civil Statutes of 1925 as amended by Chapter 211 of the Acts of the Regular Session of the 40th Legislature, so as to clarify the law in reference to the place where registration fees on motor vehicles shall be paid; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Williamson.

S. B. No. 131, A bill to be entitled "An Act providing for the appointment by the County Board of Trustees of a part-time County Superintendent for counties having an area of 1000 and not more than 1,150 square miles and with a population of 5,500 and not more than 6,000

as shown by the Federal census of 1920; conferring upon the County Superintendent powers and duties of the present ex-officio county superintendent; providing for the compensation of the said County Superintendent; and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator McFarlane.

S. B. No. 132, A bill to be entitled "An Act to amend the Anti-Pass Law so as to prevent more effectively the use of free passes and free service by members of the Legislature and other officers of the State granted by the railroads, corporations, and other persons and concerns mentioned in the anti-pass Law; etc., and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Moore.

S. B. No. 133, A bill to be entitled "An Act fixing the salary of shorthand court reporters in all counties."

Read first time and referred to Committee on State Affairs.

Senator Excused.

On motion of Senator Patton, Senator Greer was excused indefinitely on account of sickness.

Motion to Request Committee to Report on S. B. No. 4.

Senator Woodward moved that the Committee on State Affairs be requested to report on S. B. No. 4 by 2:00 o'clock p. m. today.

Senator DeBerry moved as a substitute that the Committee be asked by the Senate to meet again and reconsider the action of the Committee in postponing the bill indefinitely and report the bill favorably or unfavorably as soon as possible.

Recess.

On motion of Senator McFarlane, the Senate, at 12:15 o'clock p. m., recessed until 2:00 o'clock p. m.

After Recess.

The Senate met at 2:00 o'clock p. m., pursuant to recess, and was called to order by President Pro Tem Eugene Miller.

Messages From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with following messages:

Hall of the House of Representatives, Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 39, A bill to be entitled "An Act providing for the regulation and protection of, catching and taking fish in Young County; etc., and declaring an emergency."

S. B. No. 41, A bill to be entitled "An Act placing under the provisions of the general law all school districts common or independent, with a scholastic population of fewer than 5,000, in the levy and collection of local school taxes and in the issuance of bonds; etc., and declaring an emergency."

With amendments.

H. B. No. 91, A bill to be entitled "An Act relating to banks and bank and trust companies; enacting provisions to prevent false advertisement of the condition of banks and bank and trust companies, and providing penalties and forfeiture, and declaring an emergency."

H. B. No. 94, A bill to be entitled "An Act relating to banks and bank and trust companies; amending Article 365, Revised Civil Statutes of Texas of 1925, so as to provide for the sale of stock to enforce payment of stock assessments in banks and bank and trust companies; amending Article 370 of said statutes defining the duties and discretion of the Banking Commissioner in connection with taking charge of and liquidating banks and bank and trust companies; enacting provisions protecting the rights of creditors of banks and bank and trust companies in cases of decrease of the capital stock of such corporations; declaring the rule where banks and bank and trust companies receive checks, drafts or bills of exchange; amending Article 514, Revised Civil Statutes of 1925, so as to eliminate that portion of same which prohibits banks and bank and trust companies from alienating real estate to anyone

interested directly or indirectly in said company; amending Article 358, Revised Civil Statutes of 1925, prescribing the number of examinations per year of banks and bank and trust companies by the Banking Department; amending Article 350, Revised Civil Statutes, 1925, as amended, so as to provide for assistant bank examiners, and prescribing their compensation and traveling expenses; enacting provisions incidental to the subject and purposes of the act, and declaring an emergency."

H. B. No. 95, A bill to be entitled "An Act to levy and collect annually a three dollar road tax against all ablebodied male citizens of Cass county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax, and repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 101, A bill to be entitled "An Act creating a more efficient road system for McMullen county, Texas; providing that the county commissioners shall co-operate with the State Highway Department in the establishment, construction and maintenance of designated State highways, to be paid for partly by the county and partly by the State or Federal government; authorizing the commissioners court of McMullen county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof; providing that this act shall be cumulative of all road laws of said county, and declaring an emergency."

H. B. No. 114, A bill to be entitled "An Act amending Section 8 of Chapter 177 of the General Laws of the Regular Session of the Thirty-ninth Legislature, as amended by Chapter 35 of the General Laws of the Fortieth Legislature, by providing that it shall be lawful to kill, take and have in possession any fur-bearing animal, except a fox, within Limestone county during the open season, and providing that it shall be legal to kill, take and have in possession within Limestone county rabbits at any time, and declaring an emergency."

H. B. No. 117, A bill to be entitled "An Act to levy and collect annually

a three dollar road tax against ablebodied male citizens of Hood county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax; and repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 119, A bill to be entitled "An Act amending Chapter 202 of the General and Special Laws of the Regular Session of the Forty-first Legislature so as to omit McCulloch county from the operation thereof, and declaring an emergency."

H. B. No. 128, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for the purpose of issuing bonds and maintaining the public schools in school districts in all counties which, according to the Federal census of 1920, have a population of not fewer than 36,500 and not more than 36,700; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 133, A bill to be entitled "An Act to levy and collect annually a three dollars road tax against all ablebodied male citizens of Erath county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax; and repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 147, A bill to be entitled "An Act to levy and collect annually a three dollar road tax against all ablebodied male citizens of Van Zandt county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax, and repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 162, A bill to be entitled "An Act creating and defining by metes and bounds road district No. 3 of Colorado county, Texas, under the authority of Article 3, Section 52, of the Constitution of the State of Texas, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof; provided that such district shall be made a body corporate and taxing district under the Constitution and laws of the State of Texas, etc., and declaring an emergency."

H. B. No. 167 A bill to be entitled "An Act amending Chapter 253, page 534, of the Regular Session Acts of the Forty-first Legislature, prohibiting the sale of fresh water fish during the months of March and April in Cass, Bowie, Morris, and Titus counties; providing a penalty therefor, and declaring an emergency."

H. B. No. 168 A bill to be entitled "An Act fixing the fees and compensation of county attorneys in counties having a population of not less than 37,500 nor more than 100,000 inhabitants, and in which counties there are one or more judicial districts, and which have no district attorney; authorizing the employment of deputies, assistants and stenographers to such county attorneys, and fixing the compensation for same; providing a method for the payment thereof; and providing that such county attorneys may collect fees for services rendered in corporation courts, specifying such fees, and declaring an emergency."

H. B. No. 169 A bill to be entitled "An Act to authorize the commissioners court in each county having a population of not less than 10,015 and not more than 10,040, as shown by the United States census of 1920, to pay the sheriff of such county for summoning jurors in district or county courts, serving all legal notices, notices to overseers of roads, etc., and declaring an emergency."

Hall of the House of Representatives
Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate,

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. 6—Relating to the heirs of Edward (T) Wingate.

Respectfully submitted,

LOUISE SNOW PHINNEY,

Chief Clerk, House of Representatives.

Hall of the House of Representatives
Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate,

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 77, A bill to be entitled "An Act to provide for the eradication, in the State of Texas, of the fever-carrying tick (*Margaropus Annulatus*), and making it the duty of

the inspectors of the Live Stock Sanitary Commission to supervise the dipping of cattle, horses, mules, jacks and jennets for the eradication of said fever-carrying tick (*Margaropus Annulatus*), and authorizing and requiring said Commission to establish necessary quarantines for the purpose of controlling and restricting the movement of said live stock, and for the purpose of preventing the spread of said infection and exposure to said fever-carrying tick (*Margaropus Annulatus*), and to eradicate the same, and requiring the commissioners courts to co-operate with said Commission in said work, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,

Chief Clerk, House of Representatives.

Hall of the House of Representatives
Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate,

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 16, A bill to be entitled "An Act to amend Article 5053, R. S. 1925, relating to discrimination and other practices in connection with the sale of life insurance policies so as to better regulate the sale of stock, bonds and other securities in connection with life insurance policies, and declaring an emergency."

With amendments.

Respectfully submitted,

LOUISE SNOW PHINNEY,

Chief Clerk, House of Representatives.

Hall of the House of Representatives
Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate,

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 100, A bill to be entitled "An Act amending Article 879 of the 1925 Penal Code, as amended and provided for in House bill No. 161, Chapter 215, page 316, Regular Session of the Fortieth Legislature, so as to provide an open season or period of time when it shall be lawful to kill wild mourning doves in the north zone and in the south zone; excepting certain counties therefrom, and providing for an open season or period of time in

which it shall be lawful to take or kill wild mourning doves in such excepted counties, and declaring an emergency."

H. B. No. 126, A bill to be entitled "An Act amending Chapter 345 of the Special Laws passed by the First Called Session of the Thirty-ninth Legislature, so as to provide for the refunding of the outstanding bonded indebtedness of road district No. 9 of Houston county, Texas, by the commissioners court of said county; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 142, A bill to be entitled "An Act to validate proceedings of the district court of the Thirty-fourth Judicial District of Texas, sitting at El Paso, in certain criminal matters, and declaring an emergency."

H. B. No. 151, A bill to be entitled "An Act amending Article 2691a of the Revised Civil Statutes of Texas, 1925, and providing for a rural school supervisor in lieu of teachers' institutes as required under Article 2691 and providing for the payment of the salary of said rural school supervisors in counties having a population of 34,700 to 35,000, according to the Federal census of 1920, and declaring an emergency."

H. B. No. 161, A bill to be entitled "An Act creating a more efficient road system for Hopkins county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners court; providing for laying out, establishment, construction of roads, bridges and culverts, and for the repair and maintenance thereof; providing that the commissioners court shall co-operate with the State Highway Departments in the establishment, construction and maintenance of roads, bridges and culverts to be paid for partly by the county and partly by the State or Federal government; authorizing the commissioners court of Hopkins county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes prior to March 1,

1929, and to levy a tax in payment thereof; limiting the debt which may be created in the future to the current revenues of said county for road and bridge purposes except in cases of emergency; repealing all previous Hopkins county special road laws, and declaring an emergency."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives
Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate,

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 33, A bill to be entitled "An Act to provide for the establishment of a prison reformatory within the State prison system and as a part thereof; providing for the methods of handling the young, short-term State prisoners, and for certain duties of the State prison system and for certain duties of the Texas Prison Board and prison management in connection therewith, and declaring an emergency."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives
Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate,

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 165, A bill to be entitled "An Act to amend Article 1571 of the Penal Code of the State of Texas, 1925, by making further exceptions to Articles 1569 and 1570 of the Penal Code of the State of Texas, said exceptions being as to superintendents, matrons and nurses employed in orphans' homes and to employes of any State eleemosynary institutions."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Senate Bill No. 4.

The question recurred upon the substitute motion, relative to the reporting of S. B. No. 4 by the Committee on State Affairs.

Senator Woodward received unanimous consent to withdraw his original motion.

Senator DeBerry received unanimous consent to withdraw his substitute for the original motion.

Senator Woodward moved that the Committee on State Affairs be instructed by the Senate to reconsider the vote by which S. B. No. 4 was ordered indefinitely postponed and to report S. B. No. 4 by 10:00 Wednesday morning, favorably or unfavorably.

The motion prevailed.

Simple Resolution No. 15.

Senator Small sent up the following resolution:

Whereas Mrs. Emma Cobb Evans, President of the Texas Women's Press Association is present.

Therefore Be it resolved that Mrs. Evans be requested to address the Senate.

SMALL.

The resolution was read and adopted.

The Chair appointed Senators Small, McFarlane, and Hyer to escort Mrs. Evans to the platform.

Mrs. Evans Speaks.

Senator Small introduced Mrs. Evans who briefly addressed the Senate.

S. C. R. No. 6.

Senator Neal sent up the following resolution:

Whereas, the 39th and 40th Legislatures passed resolutions authorizing the adoption of a State song for the State of Texas, and

Whereas, A Committee of seven members, three from the Senate and four from the House, was appointed to select a song, according to rules set up by the Committee, and

Whereas, Contests were held in each Senatorial District, and a final contest was held in Dallas for the purpose of selecting the song for adoption, and

Whereas, "Texas, Our Texas," by William J. Marsh and Gladys Yoakum Wright, has been selected by the Legislative Committee twice, proving the song was meritorious to the extent that it "had sung itself into the hearts of the people,"

Now, Therefore Be it Resolved by the Senate of the State of Texas, the House of Representatives concurring, that "Texas, Our Texas" by William J. Marsh and Gladys Yoak-

um Wright be adopted as the State Song for the State of Texas.

NEAL,
McFARLANE,
GREER.

The resolution was read and adopted by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Senator Neal moved that Miss Willie Stephens be invited to bring a group of public school children to the Senate Chamber and sing "Texas, Our Texas" for the Senators. The motion prevailed.

House Bills Referred.

H. B. No. 77 referred to Committee on Stock and Stock Raising.

H. B. No. 101 referred to Committee on State Highways and Motor Traffic.

H. B. No. 95 referred to Committee on State Affairs.

H. B. No. 94 referred to Committee on Banks and Banking.

H. B. No. 91 referred to Committee on Banks and Banking.

H. B. No. 119 referred to Committee on State Affairs.

H. B. No. 128 referred to Committee on Educational Affairs.

H. B. No. 133 referred to Committee on State Affairs.

H. B. No. 117 referred to Committee on State Affairs.

H. B. No. 168 referred to Committee on State Affairs.

H. B. No. 167 referred to Committee on State Affairs.

H. B. No. 147 referred to Committee on State Affairs.

H. B. No. 114 referred to Committee on State Affairs.

H. B. No. 169 referred to Committee on Civil Jurisprudence.

H. B. No. 162 referred to Committee on State Highways and Motor Traffic.

H. B. No. 161 referred to Committee on State Highways and Motor Traffic.

H. B. No. 151 referred to Committee on Educational Affairs.

H. B. No. 142 referred to Committee on Judicial Districts.

H. B. No. 126 referred to Committee on State Highways and Motor Traffic.

H. B. No. 100 referred to Committee on State Affairs.

Simple Resolution No. 16.

Senator Woodul sent up the following resolution:

Whereas, Hon. Lynch Davidson is on the floor of the Senate.

Be it Resolved that he be invited to address the Senate.

WOODUL.

WITT.

POLLARD.

The resolution was read and adopted.

The Chair appointed Senators Witt, Woodul, and DeBerry to escort Mr. Davidson to the platform

Hon. Lynch Davidson Speaks.

Senator Woodul introduced Mr. Davidson who briefly addressed the Senate.

Simple Resolution No. 17.

Senator Woodward sent up the following resolution:

Whereas the Hon. Edwin Dabney Attorney General of the State of Oklahoma is in the city and now on the floor of the Senate,

Therefore, be it Resolved by the Senate that he be invited to address the Senate.

WOODWARD.

WITT.

The resolution was read and adopted.

The Chair appointed Senators Woodward, Witt and Small to escort Mr. Dabney to the platform.

Hon. Edwin Dabney Speaks.

Senator Witt introduced Mr. Dabney who briefly addressed the Senate.

Message from the Governor.

The Chair recognized the Door-

keeper, who introduced a messenger from the Governor with the following message:

Executive Office,

May 13, 1929.

To the Members of the Forty-First Legislature:

The subjects of the reports of the Committee appointed under Senate Concurrent Resolution No. 4, Regular Session of the Forty-first Legislature, and the Committee appointed to investigate textbook matters, and the enactment of such statutes as may be necessary or give better protection to the school fund and the public interest in public lands are submitted for your consideration.

Respectfully submitted,

DAN MOODY,

Governor

Senate Bill No. 71.

Senator Love received unanimous consent to take up out of its regular order the following bill:

By Senator Love:

S. B. No. 71, A bill to be entitled "An Act to amend Art. 5221 of the Revised Civil Statutes of 1925 as amended by Chapter 153 of the General and Special Laws of the Regular Session of the Forty-first Legislature relating to pensions; etc., and declaring an emergency."

The Committee substitute was adopted.

The bill as substituted was read second time and passed to engrossment.

On motion of Senator Love the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 71 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.
Berkeley.
Cousins.
Cunningham.
DeBerry.
Gainer.
Hardin.
Holbrook.
Hornsby.
Hyer.
Love.
Martin.
McFarlane,
Miller.
Moore.

Neal.
Parr.
Parrish.
Patton.
Pollard.
Russek.
Small.
Stevenson.
Thomason.
Westbrook.
Williamson.
Wirtz.
Witt.
Woodul.
Woodward.

Absent—Excused.

Greer.

The bill was read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane,	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Greer.

Motion to Concur.

On motion of Senator Parrish, the Senate concurred in the House amendments to S. B. No. 141 by the following vote:

Yeas—30.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane,	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Greer.

Senate Bill No. 51.

Senator Wirtz received unanimous consent to take up out of its regular order the following bill:

By Senator Wirtz:

S. B. No. 51, A bill to be entitled "An Act to amend Article 2024 of the Revised Civil Statutes of 1925, relating to and providing for service of process by a constable in suits in which the sheriff is a party to, or

interested in, said suit, so as to authorize the judge of the court in which any cause is pending to direct the sheriff of some adjoining county to serve any process or writ issued out of such court when it is made to appear that there is likewise no qualified and acting constable in any justice precinct of the county in which such process or writ is to be executed, or each qualified and acting constable in said county is likewise a party to, or interested in, said suit."

The bill was read second time and passed to engrossment.

On motion of Senator Wirtz the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 51 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane,	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Greer.

The bill was read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane,	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Greer.

Senate Bill No. 111.

Senator Pollard received unanimous consent to take up out of its regular order the following bill:

By Senator Pollard:

S. B. No. 111, A bill to be entitled "An Act providing that the State of Texas, through the Game, Fish and Oyster Commission, shall have power, right and authority to condemn and appropriate to the use of the State, land and water in Smith County, Texas, for the purpose of erecting, constructing, enlarging and maintaining fish hatcheries, buildings, necessary equipments, roads and passageways to said hatcheries; etc., and declaring an emergency."

The rule requiring Committee reports to lie over 24 hours was suspended by unanimous consent.

The Committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Pollard the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 111 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Greer.

The bill was read third time and finally passed by the following vote:

Yeas—30.

Beck.	Hyer.
Berkeley.	Love.
Cousins.	Martin.
Cunningham.	McFarlane.
DeBerry.	Miller.
Gainer.	Moore.
Hardin.	Neal.
Holbrook.	Parr.
Hornsby.	Parrish.

Patton.	Westbrook.
Pollard.	Williamson.
Russek.	Wirtz.
Small.	Witt.
Stevenson.	Woodul.
Thomason.	Woodward.

Absent—Excused.

Greer.

Senate Bill No. 59.

The Chair laid before the Senate as pending business the following bill:

By Senator Westbrook:

S. B. No. 59, A bill to be entitled "An Act to amend Art. 3689 of the Revised Civil Statutes of 1925, regulating the compensation of executors, administrators and testamentary trustees, and declaring an emergency."

The pending amendment was read. the bill was laid on the table subject to call.

Senate Bill No. 104.

The Chair laid before the Senate on second reading the following bill:

By Senator Williamson.

S. B. No. 104, A bill to be entitled "An Act to amend Art. 1645, Title 34 of the Revised Civil Statutes of 1925, as amended by Chapter 35, General and Special Laws passed at the First Called Session of the Fortieth Legislature, etc., and declaring an emergency."

The Committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Williamson the bill was laid on the table subject to call.

Senate Bill No. 115.

The Chair laid before the Senate on second reading the following bill:

By Senator Witt:

S. B. No. 115, A bill to be entitled "An Act to create a more efficient road system for McLennan County, Texas, etc; and declaring an emergency."

The Committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Witt the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 115 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Greer.

The bill was read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Greer.

Senate Bill No. 42.

The Chair laid before the Senate on its second reading the following bill:

By Senator Parrish.

S. B. No. 42, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office to accept and award all applications for the re-purchase of public school land forfeited and reappraised under Chapter 94, etc., and declaring an emergency."

The bill was read second time.

Senator Parrish sent up the following amendment:

Amend Caption and the Bill of S. B. No. 42, by inserting between the words "land" and "forfeited" on line 3 the following: "In Gaines, Yoakum and Kinney Counties."

The amendment was read and adopted.

The bill passed to engrossment.

On motion of Senator Parrish the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 42 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Greer.

The bill was read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Greer.

Senate Bill No. 83.

The Chair laid before the Senate on its second reading the following bill:

By Senator Miller:

S. B. No. 83, A bill to be entitled "An Act legalizing the Acts of the County School Trustees of Jack and Young Counties, Texas, creating the Bryson Rural high school district in:

Jack and Young Counties, Texas, and declaring an emergency."

The Committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Hornsby the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 83 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Greer.

The bill was read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Greer.

Senate Bill No. 52.

The Chair laid before the Senate on its second reading the following bill:

By Senator Wirtz:

S. B. No. 52, A bill to be entitled "An Act creating an Advisory Civil

and Judicial Council for the continuous study and investigation of the report upon the civil judicial system of the State, its administration, procedure and functioning: etc."

The bill was read second time.

Senator Wirtz sent up the following amendments:

Amend S. B. No. 52 by adding Sec. 9 to read as follows:

Sec. 9. The importance of this legislation creates an emergency requiring that the constitutional rule that bills be read in each House on three several days be suspended and that this bill take effect from and after its passage, and it is so enacted.

Amend the Caption to conform.
WIRTZ.

The amendment was read and adopted.

The bill as amended passed to engrossment.

On motion of Senator Wirtz the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 52 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Greer.

The bill was read third time and finally passed.

Senate Bill No. 27.

Senator Parr received unanimous consent to take up out of its regular order the following bill:

By Senator Parr:

S. B. No. 27, A bill to be entitled "An Act to provide for the eradication in the State of Texas of the fever-carrying tick, *Margaropus An-*

nulatus, etc., and declaring an emergency."

The Committee amendment was lost.

Senator Parr sent up the following amendment:

Amend S. B. No. 27, on page 20, line 12, after the word "direction" by inserting the following words: "on any of the dates prescribed therein."

PARR.

The amendment was read and adopted.

Senator Woodul sent up the following amendment:

Amend S. B. No. 27, Section 4, page 7, line 17, by striking out the word Harris.

WOODUL.

The amendment was read and adopted.

The bill as amended passed to engrossment.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 27 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.
Neal.	

Nays—1.

Cousins.

Absent—Excused.

Greer.

The bill was read third time and finally passed by the following vote:

Yeas—25.

Beck.	Gainer.
Berkeley.	Hardin.
Cunningham.	Holbrook.
DeBerry.	Hyer.

Love.	Small.
Martin.	Stevenson.
McFarlane.	Thomason.
Miller.	Westbrook.
Neal.	Williamson.
Parr.	Witt.
Parrish.	Woodul.
Pollard.	Woodward.
Russek.	

Nays—5.

Cousins.	Patton.
Hornsby.	Wirtz.
Moore.	

Absent—Excused.

Greer.

House Bill Referred.

H. B. No. 165 referred to Committee on State Affairs.

Free Conference Committee
Appointed.

On motion of Senator Witt, the Senate refused to concur in House amendments to S. B. No. 16 and asked for a Free Conference Committee.

The Chair appointed the following on the part of the Senate:

Senators Witt, Moore, Hardin, Hyer, Cunningham.

Special Order Set.

On motion of Senator Thomason, S. B. No. 55 was made special order for tomorrow morning after the morning call.

Senate Bill No. 104.

The Chair laid before the Senate the following bill:

By Senator Williamson.

S. B. No. 104, A bill to be entitled "An Act to amend Art. 1645, Title 34 of the Revised Civil Statutes of 1925, as amended by Chapter 35, General and Special Laws passed at the First Called Session of the Fortieth Legislature, etc., and declaring an emergency."

Senator Williamson sent up the following amendments:

Amend S. B. No. 104, Section 1, by inserting after the word "counties" the words "having more than 202,000 population and not more than 205,000 population according to the Federal Census of 1920" and change other sections of the bill accordingly.

Amend the caption to conform.
WILLIAMSON.

Read and adopted by a two-thirds vote.

On motion of Senator Williamson the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 104 was put on its third reading and final passage, by the following vote:

Yeas—30.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patten.
DeBerry.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Greer.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.

Absent—Excused.

Greer.

Senate Bill No. 14.

The Chair laid before the Senate on second reading the following bill:

By Senators Neal, Stevenson, Woodward, Cunningham.

S. B. No. 14, A bill to be entitled "An Act to amend Article 2892, R. S. 1925, fixing the age and extending the term of compulsory school attendance; and declaring an emergency."

Read second time and passed to engrossment.

Adjournment.

On motion of Senator Russek, the Senate, at 5:35 o'clock p. m., adjourned until 10:00 o'clock Tuesday morning.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, May 13, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 13 carefully examined and compared and find the same correctly engrossed.

MILLER, Vice Chairman.

Committee Reports.

Committee Room,
Austin, Texas, May 13, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred,

S. B. No. 126, A bill to be entitled "An Act to provide more adequate compensation for County Judges in counties which have voted road and bridge bonds amounting to six million dollars or more, and in addition flood protection bonds amounting to one million dollars or more, and providing for the employment of a stenographer for such judges, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, May 13, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred,

S. B. No. 111, A bill to be entitled "An Act providing that the State of Texas, through the Game, Fish and Oyster Commission, shall have the power, right and authority to condemn and appropriate to the use of the State, land and water in Smith County, Texas, for the purpose of erecting, constructing, enlarging and

maintaining fish hatcheries, buildings, necessary equipment, roads and passageways to said hatcheries; providing that the method of condemnation shall be the same as now provided by law in case of railroads; providing that suit shall be instituted by the Attorney General of Texas in said Smith County and the cost of same be paid by the State out of funds appropriated to the use of the Game, Fish and Oyster Commission, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it being a local bill, that it be not printed.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, May 9, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred,

S. B. No. 120, A bill to be entitled "An Act fixing the salary of the County Commissioners of certain counties according to the tax rolls of 1928 on file in the office of the State Comptroller, repealing all laws in conflict therewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with attached Committee amendments and that it be not printed.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred,

S. B. No. 128, A bill to be entitled "An Act authorizing the Commissioner of Agriculture to establish, maintain and enforce quarantine regulations to protect the agricultural and horticultural interests of this State against the introduction into and dissemination into, and/or within this State from any state, states, and/or parts of states other than the State of Texas, of insect pests and plant diseases injurious to plants and plant products of this State; providing for emergency or permanent

quarantines against any other state, states, and/or parts of states outside the State of Texas for the protection of the whole of the State of Texas or any area thereof; authorizing the Commissioner of Agriculture to promulgate rules and regulations for the enforcement of this Act; providing that this Act shall be cumulative of all laws now on the statute books; providing penalties for violations and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it be not printed.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred,

S. B. No. 112, A bill to be entitled "An Act to amend Section 7 of Senate Bill No. 106, enacted by the Second Called Session of the 36th Legislature, authorizing the Board of Trustees of Quitman Independent School District in their discretion to have the special taxes of said School District collected by the county tax collector, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room,

Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred,

S. B. No. 114, A bill to be entitled "An Act amending Chapter 91 of the General Laws of the First Called Session of the 40th Legislature so as to provide that the provisions of said Chapter shall apply to counties in Texas having a population of not less than 55,710 and not more than 56,000 according to the Federal census of 1920, and declaring an emergency."

Have had the same under consideration, and I am instructed to re-

port it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room,

Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 65, A bill to be entitled "An Act to amend Article 2963, Article 2965, and Article 2968 of the Revised Civil Statutes of Texas relating to the mailing of poll tax receipts to certain persons, and providing for the mailing of poll tax receipts to property tax payers subject thereto; and providing that the poll tax receipts for persons who are not citizens of the United States shall be marked "Not Entitled to Vote;" providing penalty for the violation of this Act; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred,

H. B. No. 142, A bill to be entitled "An Act to validate proceedings of the District Court of the Thirty-fourth Judicial District of Texas, sitting at El Paso, in certain Criminal matters; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, and being a local bill that it be not printed.

PATTON, Chairman.

Committee Room,

Austin, Texas, May 12, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred,

H. B. No. 31, A bill to be entitled "An Act to amend Article 2781, R. S. 1925, relating to term of con-

tract of superintendent, principals, teachers, or other executive officers in independent school districts, repealing Article 2782, R. S., which exempts the cities of Dallas and Ft. Worth; repealing all laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal.

NEAL, Chairman.

By Purl, Graves of H. B. No. 31. Williamson et al.

A BILL

To Be Entitled

An Act to amend Article 2781, R. S. 1925, relating to term of contract of superintendents, principals, teachers, or other executive officers in independent school districts, repealing Article 2782, R. S. 1925, which exempts the cities of Dallas and Fort Worth; repealing all laws in conflict herewith; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 2781, R. S. 1925, be amended so as to hereafter read as follows:

"Article 2781. The Board of Trustees of any city or town or any independent school district may employ a superintendent, principal, teacher, or other executive officers in the schools therein for a term not to exceed three years; provided that the Board of Trustees of an independent school district which had a scholastic population of 5,000 or more on the last preceding scholastic year may employ a superintendent, principal, teacher, or other executive officers in the schools therein for a term not to exceed four years. All twelve-month contracts made by trustees of independent school districts with employees herein mentioned shall begin on July 1st and end on June 30th of the year terminating the contract."

Sec. 2. The importance of this legislation and the crowded condition of the Calendar create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended and that this Act be in full force and effect

from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, May 13, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 36, A bill to be entitled "An Act to provide that all citations and notices issued by the County Clerk on applications for the probate of a written will or for letters of administration, or on applications for the appointment of a guardian, shall be returnable to the court from which issued on the first Monday after the service is perfected, and said returnable date shall constitute the term of the probate court for action on said applications; providing that the time be fixed for service of citations; amending Article 1961 of the Revised Civil Statutes of 1925 so as to provide that the probate court shall be open at all times for the transaction of probate business; amending Article 1965 so as to provide that the probate minutes shall be approved by the presiding judge every thirty (30) days; repealing Article 1967 of the Revised Civil Statutes for 1925 and all other laws in conflict with this Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal.

WOODWARD, Chairman.

By Carpenter, Woodall H. B. No. 36.
and Van Zandt.

A BILL

To Be Entitled

An Act to provide that all citations and notices issued by the county clerk on applications for the probate of a written will or for letters of administration, or on applications for the appointment of a guardian, shall be returnable to the court from which issued on the first Monday after the service is perfected, and said returnable date shall constitute the term of the probate court for action on said applications; providing that the time be fixed for service of citations; amending Article 1961 of the Revised Civil Statutes of

1925 so as to provide that the probate court shall be open at all times for the transaction of probate business; amending Article 1965 so as to provide that the probate minutes shall be approved by the presiding judge every thirty (30) days; repealing Article 1967 of the Revised Civil Statutes for 1925, and all other laws in conflict with this Act; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. All citations and notices issued by the county clerk on applications for the probate of a written will or for letters of administration, or on application for the appointment of a guardian, shall be returnable to the court from which issued on the first Monday after the service is perfected, and said returnable date shall constitute the term of the probate court for action on said application. The time for the return of the citations and notices shall be fixed by the clerk in accordance with the time now required by law for the service of notices required to be published or posted.

Sec. 2. That Article 1961 of the Revised Civil Statutes of 1925 be amended so that the same shall hereafter read as follows:

"Article 1961. The county court shall hold at least four terms for both civil and criminal business annually, and such other terms each year as may be fixed by the commissioners' court. After having fixed the times and number of the terms of a county court, they shall not change the same until the expiration of one year. Until, or unless otherwise provided, the term of the county court shall be held on the first Monday in February, May, August and November, and may remain in session three weeks; provided said court shall be open at all times for the transaction of probate business."

Sec. 3. That Article 1965 of the Revised Civil Statutes for 1925 be amended so that the same shall hereafter read as follows:

"Article 1965. The minutes of the proceedings of each preceding day of the session shall be read in open court on the morning of the succeeding day, except on the last

day of the session, on which day they shall be read, and if necessary be corrected, and signed in open court by the county judge. Each special judge shall sign the minutes of such proceedings as were had before him; provided the probate minutes of said court shall be approved by the presiding judge every thirty days."

Sec. 4. That Article 1967 of the Revised Civil Statutes for 1925 is hereby repealed and any other laws in conflict with this law are repealed to the extent of such conflict.

Sec. 5. The fact that the terms of probate court should be shorter than now provided by law, creates an emergency and an imperative public necessity demanding that the constitutional rule requiring all bills to be read on three several days be suspended and it is so suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 55, A bill to be entitled "An Act to amend Article 7414 of the Revised Civil Statutes of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal.

WOODWARD, Chairman.

By Sinks. H. B. No. 55.

A BILL

To Be Entitled

An Act to amend Article 7414 of the Revised Civil Statutes of 1925; and declaring an emergency. Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 7414 be so amended as hereafter to read as follows:

"Article 7414. If the plaintiff does not appear at the first term, the case shall be continued to the next term, when, if he appears, the like proceedings may be had as at the first term; but if he does not then appear, on or before the appearance day of said second term, he shall be non-suited."

Sec. 2. The fact that an error has been committed in the Revised Statutes of 1925 so as to make said Article uncertain and creates confusion thereby, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended and said rule is hereby suspended, and that this Act shall take effect and be enforced from and after its passage and it is so enacted.

Committee Room,

Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 61, A bill to be entitled "An Act to amend Article 7117 of Chapter 5, of Title 122, of the Revised Civil Statutes of Texas, 1925 codification, so as to exempt from inheritance tax, intangible personal property of a non-resident who was, at the time of his death, a resident of a State or Territory of the United States or of a foreign country which did not impose a transfer or inheritance tax of any character in respect of intangible personal property of residents of this State, or whose laws contained a reciprocal provision under which non-residents were exempt from such transfer or inheritance tax of such intangible personal property, provided the State or Territory or foreign country of the residence of such non-resident allowed a similar exception to residents of the State, Territory or foreign country of the residence of such decedent; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it be printed in the Journal but not otherwise.

WIRTZ, Chairman.

By McGill, Duvall, Beck. H. B. No. 61

A BILL

To Be Entitled

An Act to amend Article 7117 of Chapter 5, of Title 122, of the Revised Civil Statutes of Texas, 1925 codification, so as to exempt from inheritance tax, intangible personal property of a non-resident

who was, at the time of his death, a resident of a State or Territory of the United States or of a foreign country which did not impose a transfer or inheritance tax of any character in respect of intangible personal property of residents of this State, or whose laws contained a reciprocal provision under which non-residents were exempt from such transfer or inheritance tax of such intangible personal property, provided the State or Territory or foreign country of the residence of such non-resident allowed a similar exemption to residents of the State, Territory or foreign country of the residence of such decedent; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 7117 of Chapter 5, of Title 122, of the Revised Civil Statutes of Texas of 1925, relating to inheritance taxes, be amended so as to read as follows:

"Article 7117. Property Subject. All property within the jurisdiction of this State, real or personal, corporate or incorporate, and any interest therein, whether belonging to inhabitants of this State or to persons who are not inhabitants, regardless of whether property is located within or without this State, which shall pass absolutely or in trust by will or by the laws of descent or distribution of this or any other State, or by deed, grant, sale or gift made or intended to take effect in possession or enjoyment after the death of the grantor or donor, shall upon passing to or for the use of any person, corporation or association, be subject to a tax for the benefit of the State's general revenue fund in accordance with the following classifications; provided, however, that the tax imposed by this Article in respect to personal property of non-residents (other than tangible property having an actual situs in this State) shall not be payable: (1) if the grantor or donor at the time of his death was a resident of a State or Territory of the United States or of a foreign country, which, at the time of his death, did not impose a transfer or inheritance tax of any character in respect of personal property of residents of this State (other than tan-

gible personal property having an actual situs in said State); or, (2), if the laws of the State or territory or foreign country of the residence of the grantor or donor at the time of his death, contained a reciprocal provision under which non-residents were exempted from transfer of inheritance taxes of every character in respect to personal property (other than tangible personal property having an actual situs therein) provided the State or territory or foreign country of residence of such non-residents allowed a similar exemption to residence of the State or Territory or foreign country of residence of such a grantor or donor. For the purpose of this Article the District of Columbia and possessions of the United States shall be considered territories of the United States, and Provinces of the Dominion of Canada shall be considered foreign countries. Provided further that the provisions of this Act shall not apply to residents of those States which have no inheritance tax law.

Sec. 2. The fact that a large amount of intangible personable property in the form of stocks, bonds, and other securities are owned by citizens of Texas, and taxable in States which have reciprocal provisions in their laws exempting such property from taxation to States who extend reciprocal exemptions, and that the State of Texas now has not such reciprocal exemption, and therefore does not receive the benefit of such reciprocal exemptions of other States, create an emergency and an imperative public necessity, requiring the suspension of the constitutional rule requiring the reading of bills on three several days in each House, and said rule is hereby suspended and this Act shall become effective and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 63, A bill to be entitled "An Act to add to the Revised Civil Statutes of Texas for 1925 a new Article to be known as Article 7047a to provide for an occupation tax on

the business or occupation of owning, operating, managing, or controlling exchanges which furnish quotations on the stock market on certain commodities, or stocks and bonds, providing said Act shall not apply to certain persons, firms, corporations, or association of persons; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it be printed in the Journal but not otherwise.

WIRTZ, Chairman.

By McDonald.

H. B. No. 63.

A BILL

To Be Entitled

An Act to add to the Revised Civil Statutes of Texas for 1925 a new Article to be known as Article 7047a to provide for an occupation tax on the business or occupation of owning, operating, managing, or controlling exchanges which furnish quotations on the stock market on certain commodities, or stocks and bonds, providing said Act shall not apply to certain persons, firms, corporations, or association of persons; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. A new Article to be known as Article 7047a is hereby added to the Revised Civil Statutes of Texas for 1925, which Article shall read as follows:

"Article 7047a. There shall be levied and collected from every person, firm, corporation, or association of persons owning, operating managing, controlling, or pursuing the business or occupation of any cotton exchange quotation service in this State, or furnishing quotations on the stock market on grain, cotton, or other commodities, or stocks and bonds, and who maintain an office or place of business, or branch office, and have a bulletin board or other means of furnishing quotations on the stock market, an annual State occupation tax of Two Hundred and Fifty Dollars, which shall be paid annually in advance, on each and every separate establishment, office, branch office, or place of business; provided, this Article shall not apply to any person, firm, or corporation,

or association of persons who furnish gratuitously market quotations to any person desiring the same and who are not engaged in the business of furnishing market quotations and without intent to solicit or accept orders for contracts, or contracts for future deliveries or sales of any commodity, stock, or bonds; provided, further, each county or city in which same is operated may levy one-half the occupation tax herein provided for in the manner now provided by Article 7048.

Sec. 2. The fact that there is no occupation tax on the business mentioned in this Act, and persons and companies engaged in conducting such business pay only ad valorem tax on the property they own creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We your Committee on Civil Jurisprudence, to whom was referred S. B. No. 77, A bill to be entitled "An Act, Chapter 236, General and Special Laws, Fortieth Legislature, which amended Article 1021 of Chapter 2 of Title 15 of the Code of Criminal Procedure, Revised Criminal Statutes of Texas, so as to provide for the payment of \$20.00 per day for each day district attorneys in certain districts attend any session of the District courts in their respective districts, in the necessary discharge of their official duties, and for each day they represent the State at examining trials, inquest proceedings in vacation, and providing the manner of payment thereof, and for each day necessarily used in going to and coming from one court to another in the official discharge of their duties, and providing that the maximum number of days for which compensation is allowed district attorneys in judicial districts composed of seven counties or more shall not exceed two hundred and twenty-five days, repealing all laws in con-

flict therewith and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal.

WOODWARD, Chairman.

By Hornsby

S. B. No. 77.

A BILL

To Be Entitled.

An Act, Chapter 236, General and Special Laws Fortieth Legislature which amended Article 1021 of Chapter 2, of Title 15, of the Code of Criminal Procedure, Revised Criminal Statutes of Texas, so as to provide for the payment of \$20.00 per day for each day district attorneys in certain districts attend any session of the District courts in their respective districts, in the necessary discharge of their official duties, and for each day they represent the State at examining trials, inquest proceedings in vacation, and providing the manner of payment thereof, and for each day necessarily used in going to and coming from one court to another in the official discharge of their duties, and providing that the maximum number of days for which compensation is allowed district attorneys in judicial districts composed of seven counties or more shall not exceed two hundred and twenty-five days, repealing all laws in conflict therewith and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1021 of Chapter 2, Title 15, of the Code of Criminal Procedure, Revised Statutes of Texas, be amended so as to hereafter read as follows:

Article 1021. District Attorneys in all Judicial Districts composed of two counties and not more than six counties, shall receive from the State as pay for their services the sum of \$500.00 per annum, and in addition thereto, shall receive from the State as pay for their services, the sum of \$20.00 for each day they attend the Session of the District Court in their respective districts in the necessary discharge of their official duties, and twenty dollars for each day used in necessarily going to and coming from the District Court in one county to the District Court in another county in their re-

spective districts in the necessary discharge of their official duties, and in attending any session of said Court; and \$20.00 per day for each day they represent the State at examining trials, inquest proceedings and habeas corpus proceedings in vacation; said \$20.00 per day to be paid upon the sworn account of the District Attorney, approved by the District Judge, who shall certify that the attendance of said District Court for the number of days mentioned in his account was necessary, after which said account shall be recorded in the Minutes of the District Court; provided that the maximum number of days for which compensation is allowed in districts composed of not more than six counties shall not exceed two hundred and twenty-five days in any one year; providing further that in districts composed of seven counties or more, that in addition to the \$500.00 per annum salary provided herein and \$20.00 per day for attendance upon the District Courts of such Judicial Districts as hereinabove provided, that in such districts, composed of seven or more counties that the maximum number of days for which compensation is allowed shall not exceed two hundred and twenty-five days in any one year. All Commissions and fees allowed District Attorneys under the provisions hereof, in the districts composed of two counties, or more, shall, when collected, be paid to the District Clerk of the County of his residence, who shall pay same over to the State Treasurer.

Sec. 2. That all laws and parts of laws in conflict herewith be and the same are hereby repealed.

Sec. 3. The fact that the District Attorneys serving in more than one county in the State of Texas are insufficiently paid, and are not paid for numerous days out of the year, which they consume in going to and from court to court in their respective districts creates an emergency, and an imperative public necessity, that the constitutional rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and this Act shall take effect, and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, May 13, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on Civil
Jurisprudence, to whom was referred
S. B. No. 102, A bill to be entitled
"An Act to provide means to facili-
tate the sequestration of personal
property and authorizing the courts,
by proper order made, to assist in
the location of property sought, by
sequestration and declaring an
emergency."

Have had the same under consid-
eration and I am instructed to re-
port the same back to the Senate
with the recommendation that it do
pass and be printed in the journal.

WOODWARD, Chairman.

By Williamson S. B. No. 102

A BILL
To Be Entitled

An Act to provide means to facili-
tate the sequestration of personal
property and authorizing the
courts, by proper order made, to
assist in the location of property
sought by sequestration, and de-
claring an emergency.

Be it enacted by the Legislature of
the State of Texas:

Section 1. Whenever a Writ of Se-
questration shall be issued for the
purpose of securing possession of
any personal property, and the offi-
cer having said writ for execution is
unable to locate the property in-
volved, the court to which the writ
is returnable may, upon application
therefor, order any party to the suit
having possession thereof, to deliver
same to such officer. Such court,
may by order, require any person, or
any party to the suit having knowl-
edge or information about the loca-
tion of any property sought under
the Writ of Sequestration, and the
location of which property is un-
known, to fully disclose to the court
such knowledge or information. If
the party or person to whom the or-
der be directed shall not be before
the court, upon the rendition there-
of, the court shall provide therein for
service of a copy of such order upon
the one affected thereby. Such copy
may be served upon the person to
whom the order may be directed by
any person who is competent to be
a witness. An disobedience to any
order, may under the terms hereof,
after notice of said order and a rea-

sonable opportunity to perform the
same, shall be treated as a contempt
and punished in the same manner as
disobedience to an injunction, as
provided in Article 4661, Revised
Civil Statutes of Texas, 1925.

Sec. 2. Nothing herein shall af-
fect the defendant's right of re-
plevy.

Sec. 3. The importance of this
Act and the crowded condition of
the calendar creates an emergency
and a public necessity that the con-
stitutional rule requiring bills to be
read on three several days in each
House be suspended and that this
Act take effect from and after its
passage and it is so enacted.

Committee Room,
Austin, Texas, May 13, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on Civil
Jurisprudence, to whom was refer-
red

S. B. No. 103, A bill to be entitled
"An Act providing for the replevy
by the defendant of personal prop-
erty seized under sequestration; fix-
ing the conditions of the replevy
bond; providing for the discharge of
the sureties; and repealing all laws
and parts of laws in conflict there-
with, and declaring an emergency."

Have had the same under consid-
eration and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass and
be printed in the Journal.

WOODWARD, Chairman.

By Williamson S. B. No. 103

A BILL
To Be Entitled

An Act providing for the replevy by
the defendant of personal prop-
erty seized under sequestration;
fixing the conditions of the re-
plevy bond; providing for the dis-
charge of the sureties; and re-
pealing all laws and parts of laws
in conflict therewith, and declar-
ing an emergency.

Be it enacted by the Legislature of
the State of Texas:

Section 1. The defendant in a se-
questration proceeding shall have
the right to retain possession of per-
sonal property sequestered, by de-
livering to the officer executing the
writ, a replevy bond payable to the
plaintiff, with two or more good and
sufficient sureties, to be approved by

such officer, in an amount not less than double the value of the property to be retained, as set forth in the affidavit for sequestration, conditioned that he will satisfy any judgment recovered by the plaintiff, or pay thereon a sum equivalent to the value of such property, as set forth in said affidavit.

Sec. 2. Within ten (10) days after the rendition of judgment, the defendant may deliver to the clerk of the court in which such judgment was rendered, in cash, a sum equivalent to the amount thereof, or if such amount be in excess of the value of said property, as set forth in said affidavit, an amount equivalent to such value, which shall be created by said clerk on said judgment, which credit shall operate as a release of defendant and the sureties on said replevy bond.

Sec. 3. All laws, and parts of laws in conflict herewith are hereby expressly repealed.

Sec. 4. The importance of this Act and the crowded condition of the calendar creates an emergency and a public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended and that this Act take effect from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 110, A bill to be entitled "An Act to provide for the destruction of certain predatory animals and rodent pests; providing for co-operation of this State with the United States Department of Agriculture in destroying certain predatory animals and rodent pests in the interest of livestock, crops, and ranges; authorizing an appropriation to be expended under the contingencies and in the manner provided in the Act; directing how such expenditures shall be made and the work herein provided for carried on; authorizing the Commissioners' Court of any County or the governing body of any incorporated city or town to appropriate money for the prosecution of predatory animal and rodent control work contemplated by this Act and in co-operation with State and Federal

authorities to employ labor and purchase and provide supplies required for this work; enacting regulations relative to furs, skins and specimens taken and relating to bounties; enacting other provisions necessary and incidental to the general purpose of the Act; repealing Article 192 of the Revised Civil Statutes of 1925 and Chapter 195 of the General and Special Laws of the Regular Session of the 40th Legislature; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with the attached Committee amendments, and be printed in the Journal, but not otherwise.

WIRTZ, Chairman.

By Berkeley, Hornsby, S. B. No. 110
Stevenson, Hardin,
Woodward.

A BILL

To Be Entitled

An Act to provide for the destruction of certain predatory animals and rodent pests; providing for co-operation of this State with the United States Department of Agriculture in destroying certain predatory animals and rodent pests in the interest of livestock, crops, and ranges; authorizing an appropriation to be expended under the contingencies and in the manner provided in the Act; directing how such expenditures shall be made and the work herein provided for carried on; authorizing the Commissioners' Court of any County or the governing body of any incorporated city or town to appropriate money for the prosecution of predatory animal and rodent control work contemplated by this Act and in co-operation with State and Federal authorities to employ labor and purchase and provide supplies required for this work; enacting regulations relative to furs, skins and specimens taken and relating to bounties; enacting other provisions necessary and incidental to the general purpose of the Act; repealing Article 192 of the Revised Civil Statutes of 1925 and Chapter 195 of the General and Special Laws of the Regular Session of the 40th Legislature; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the State of Texas will co-operate through the Live Stock Sanitary Commission of Texas Agriculture, Bureau of Biological with United States Department of Survey, in destroying coyotes, wolves, mountain lions, bobcats, and other predatory animals, and through the Agricultural and Mechanical College of Texas will co-operate with the United States Department of Agriculture, Bureau of Biological Survey, in destroying prairie dogs, pocket gophers (Salamanders), jack rabbits, ground squirrels and other rodent pests in the interest of the protection of livestock, crops and ranges.

Sec. 2. It is hereby authorized that an appropriation out of any sum in the State Treasury not otherwise appropriated in the sum of \$_____ for the fiscal year ending August 31, 1930 for said purpose, and the sum of \$_____ is hereby authorized to be appropriated from any sum in the State Treasury not otherwise appropriated for the fiscal year ending August 31, 1931, for the same purpose, provided that such monies so appropriated hereinafter provided unless the Federal Congress shall appropriate adequate funds from the United States Treasury for each.

Sec. 3. The funds hereby authorized to be appropriated shall be apportioned each year between the two divisions of predatory animal control and rodent control as follows: eighty-five (85%) per cent for predatory animal control and fifteen (15%) per cent for rodent control. These funds shall be expended in amounts as authorized by the Chairman of the Live Stock Sanitary Commission of Texas and disbursed by warrants issued by the State Comptroller upon vouchers or pay rolls certified by the Chairman of the Live Stock Sanitary Commission of Texas for the predatory animal control division of the work, and in amounts as authorized by the president of the Agricultural and Mechanical College of Texas, and disbursed by warrants issued by the State Comptroller upon vouchers or pay rolls certified by the director of rodent control for the rodent control division of the work. The work of

destroying predatory animals and rodent pests is to be carried on under the direction of the Bureau of Biological Survey of the United States Department of Agriculture.

Sec. 4. The Chairman of the Live Stock Sanitary Commission of Texas is hereby authorized and directed to execute a co-operative agreement with the Secretary of Agriculture of the United States of America or the Bureau of Biological Survey of the United States of America for carrying out such co-operative work in predatory animal control in such manner and under such regulations as may be stated in said agreement. The president of the Agricultural and Mechanical College of Texas is hereby authorized and directed to execute a co-operative agreement with the Secretary of Agriculture or the Bureau of Biological Survey for carrying out such co-operative work in rodent control in such manner and under such regulations as may be stated in said agreement.

Sec. 5. That the Commissioners' Court of any county within the State or the governing body of any incorporated city or town within the State is empowered and authorized at its discretion to appropriate funds for the prosecution of the predatory animal and rodent control work contemplated by this Act and in cooperation with State and Federal authorities to employ labor and to purchase and provide supplies required for the effective prosecution of this work.

Sec. 6. All furs, skins and specimens taken by hunters or trappers paid from State funds shall be sold under rules prescribed by the Live Stock Sanitary Commission of Texas and the proceeds of such sales shall be paid into the State Treasury to be credited and added to said predatory animal fund. All furs, skins, and specimens taken by hunters or trappers paid from county funds shall be sold as prescribed by the Commissioners' Court of the County, and the proceeds of such sale shall be paid into County Treasury to be credited and added to such predatory animal fund, provided that any specimen so taken may be presented free of charge to the Agricultural and Mechanical College, or any other State institution or to the United States National Museum for Scientific purposes.

Sec. 7. No bounty is to be collected from any county or other source for animal's taken by hunters or trappers operating under this Act. Scalps of all animals taken are to be destroyed and all skins of commercial value sold, and every precaution taken to prohibit the collection of bounty by any person herein mentioned.

Sec. 8. Any person working under the direction of the Bureau of the Biological Survey, United States Department of Agriculture, the Agricultural and Mechanical College of Texas, or the Live Stock Sanitary Commission of Texas, shall be authorized to enter upon public or private lands within this State for the purpose of carrying on the work of extermination of predatory animals and injurious rodents named in this Act, provided the same is done without violating the State or Federal constitution.

Sec. 9. The provisions, restrictions and penalties of Chapter 149, Acts of the Regular Session of the Thirty-Ninth Legislature and of Articles 923r, 1377 and 1378 of the penal code shall not be construed as applying to hunters and trappers under this Act.

Sec. 10. Any person who shall maliciously or willfully tamper with any of said traps, or any part thereof, or removes the same from the position in which the same was placed by the hunter or trapper, shall be fined not less than \$50.00 nor more than \$200.00.

Sec. 11. Any person who shall steal or fraudulently take any trap belonging to the State of Texas or United States Department of Agriculture shall be deemed guilty of a misdemeanor and shall be fined not less than \$100.00 and not more than \$200.00.

Sec. 12. Any person who shall steal or take away from any trap any animal mentioned in this Act that may be therein shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than \$100.00 and not more than \$200.00 and such animals shall be regarded as the property of the State of Texas and complaints alleging violations shall allege the ownership of the animal in the State of Texas and the only proof necessary for establishing ownership shall consist in proving that the animal

was taken from a trap which had been set by a trapper or hunter authorized by this Act.

Sec. 13. It shall be unlawful to move or transport any live predatory animals mentioned in this Act on or along any public road, thoroughfare or street without first securing a written permit from the Chairman of the Live Stock Sanitary Commission. Any person which violates this provision shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum of not less than \$100.00 nor more than \$200.00 for each of said live predatory animals so moved or transported. Any person who has any such live predatory animals in his possession and delivers the same to any person for the purpose of moving or transporting said live predatory animals along any public road, thoroughfare or street without said written permit, or who allows any other person to so transport or move any live predatory animals shall be deemed guilty of violating this provision and shall be punished as herein provided. The penalties provided in this section shall not apply to persons, firms or corporations that move or transport any such animals along any public road, thoroughfare or street if said animals are being moved for the purpose of exhibiting or for show purposes at any menagerie, zoo, circus, show or fair; nor shall said penalties apply to any person owning or controlling any of said animals which have been tamed and domesticated, which are moved or transported along or on any public road, street or thoroughfare.

Sec. 14. Article 192 of Title 7, Revised Civil Statutes of 1925 and Chapter 195 of the Acts of the Regular Session of the Fortieth Legislature and all laws in conflict with this Act are hereby expressly repealed.

Sec. 15. The fact that it is in the interest of the economic welfare of the people of this State, that the animals mentioned in this Act should be exterminated, since the same destroy much property and that the Act should take effect as soon as possible creates an emergency and an imperative public necessity that the constitutional rule requiring Bills to be read on three several days in each House, be suspended, and that this Act shall take effect and

be enforced from and after its passage, and said rule is hereby suspended and it is so enacted.

Amendment No. 1.

Amend S. B. No. 110 by replacing the period with a comma at the end of Section 9 and adding the following:

"Provided they are acting in performance of duties contemplated under the terms of this Act."

Amendment No. 2.

Amend S. B. No. 110 by inserting an additional section between sections 14 and 15 which section shall be No. 15, and shall read as follows:

"Section 15. If any section, clause or provision of this Act is declared unconstitutional or invalid, the validity of the remainder of the Act shall not be affected thereby." and renumber the present section 15 so as to read Section 16.

Amendment No. 3.

Amend the caption of S. B. No. 110, by inserting in line 27 of said caption between the semi-colon and the word "and" the following:

"declaring the rule in the event any part of the Act should be unconstitutional or invalid."

Committee Room,

Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 116. A bill to be entitled "An Act to adopt a general arbitration statute repealing the present general arbitration statute insofar as applicable to written contracts executed and delivered after this act becomes effective; making valid and enforceable written agreements and provisions in contracts for arbitration of disputes; providing for stay of proceedings brought in violation of arbitration agreement; providing remedy in case of default by filing motion in court with hearing upon notice and order of court upon such hearing; providing for appointment of arbitrators; for summoning witnesses before arbitrators; for taking of depositions for hearings before arbitrators; for award of arbitrators; for motions to confirm award and to vacate award and to

modify or correct award; providing for notice on such motions and hearings on same and orders thereon; providing for judgment upon award; providing for record on which such judgment shall be entered and for effect and enforcement thereof and appeals therefrom; providing for ancillary proceedings pending arbitration and for stay of same or determination of same pending arbitration within discretion of court and providing that invalidity for any reason of any section or part of section of act shall not affect validity of any other section or part of section."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal.

WOODWARD, Chairman.

By Hornsby. S. B. No. 116.

A BILL

To Be Entitled

An Act to adopt a general arbitration statute repealing the present general arbitration statute insofar as applicable to written contracts executed and delivered after this Act becomes effective; making valid and enforceable written agreements and provisions in contracts for arbitration of disputes; providing for stay of proceedings brought in violation of arbitration agreement; providing remedy in case of default by filing motion in court with hearing upon notice and order of court upon such hearing; providing for appointment of arbitrators; for summoning witnesses before arbitrators; for taking of depositions for hearings before arbitrators; for award of arbitrators; for motions to confirm award and to vacate award and to modify or correct award; providing for notice on such motions and hearings on same and orders thereon; providing for judgment upon award; providing for record on which such judgment shall be entered and for effect and enforcement thereof and appeals therefrom; providing for ancillary proceedings pending arbitration and for stay of same or determination of same pending arbitration within discretion of court and providing that invalidity for any rea-

son of any section or part or section of act shall not affect validity of any other section or part of section.

Be it enacted by the Legislature of the State of Texas:

Section 1. That title 10 of the Revised Civil Statutes of Texas, 1925, relating to arbitration, be amended so that the Articles thereof numbered Articles 224 to 238 inclusive shall be repealed and in lieu thereof a new general arbitration statute enacted, provided, however, that such statute hereby repealed and each Section thereof shall remain in full force and effect until this bill shall become a law and providing that thereafter the new law shall apply only to written contracts executed and delivered after this bill shall have become a law and that the statute hereby repealed and all Sections thereof shall continue to be effective and applicable as to all contracts executed and delivered before this new law becomes effective and applicable to all rights of parties to contracts existing at the time the new laws become effective.

Sec. 2. That the new arbitration act, which shall be referred to as the Texas Arbitration Act, shall read as follows:

Article 1. Validity of Arbitration Agreements. A provision in any written contract to settle by arbitration a controversy thereafter arising out of such contract, or out of the refusal to perform the whole or any part thereof, or an agreement in writing between two or more persons to submit to arbitration any controversy existing between them at the time of the agreement to submit, shall be valid, irrevocable and enforceable, save upon such grounds as exist at law or in equity for the revocation of any contract.

Article 2. Stay of Proceedings Brought In Violation of Arbitration Agreement. If any suit or proceeding be brought upon any issue referable to arbitration under an agreement in writing for such arbitration, the court in which such suit is pending, upon being satisfied that the issue involved in such suit or proceeding is referable to arbitration under such an agreement, shall on application of one of the parties stay the trial of the action until such

arbitration has been had in accordance with the terms of the agreement, providing the applicant for the stay is not in default in proceeding with such arbitration.

Article 3. Remedy In Case of Default-Jurisdiction-Petition And Notice-Hearing And Proceedings. The party aggrieved by the alleged failure, neglect or refusal of another to perform under a written agreement for arbitration may petition any court of record having jurisdiction of the parties or of the property for an order directing that such arbitration proceed in the manner provided for in such agreement. Five day's notice in writing of such application shall be served upon the party in default. Service thereof shall be made in the manner provided by law for the service of a summons. The court shall hear the parties, and upon being satisfied that the making of the agreement for arbitration or the failure to comply therewith is not in issue, the court shall make an order directing the parties to proceed to arbitration in accordance with the terms of the agreement. If the making of the arbitration agreement or the failure, neglect, or refusal to perform the same be in issue, the court shall proceed summarily to the trial thereof. If no jury trial be demanded the court shall hear and determine such issue. If the jury find that no agreement in writing for arbitration was made or that there is no default in proceeding thereunder, the proceeding shall be dismissed. If the jury find that an agreement for arbitration was made in writing and that there is a default in proceeding thereunder, the court shall make an order summarily directing the parties to proceed with the arbitration in accordance with the terms thereof.

Article 4. Appointment of Arbitrators. If, in the agreement, provision be made for a method of naming or appointing an arbitrator or arbitrators or an umpire such method shall be followed; but if no method be provided therein, or if a method be provided and any party thereto shall fail to avail himself of such method, or if for any other reason there shall be a lapse in the naming of an arbitrator or arbitrators or an umpire, or in filling a vacancy, then upon the application of either party

to the controversy the court aforesaid shall designate and appoint an arbitrator or arbitrators or umpire, as the case may require, who shall act under the said agreement with the same force and effect as if he or they had been specifically named therein; and, unless otherwise provided in the agreement, the arbitration shall be by a single arbitrator.

Article 5. Application Heard As Motions. Any application to the court hereunder shall be made and heard in the manner provided by law for the making and hearing of motions, except as otherwise herein expressly provided.

Article 6. Witnesses-Summoning-Compelling Attendance. When more than one arbitrator is agreed to, all the arbitrators shall sit at the hearing of the case unless, by consent in writing, all parties shall agree to proceed with the hearing with a less number. The arbitrators selected either as prescribed in this act or otherwise, or a majority of them, may summon in writing any person to attend before them or any of them as a witness and in a proper case to bring with him or them any book, record, document, or paper which may be deemed material as evidence in the case. The fees for such attendance shall be the same as the fees of witnesses in courts of general jurisdiction. The summons shall issue in the name of the arbitrator or arbitrators, or a majority of them, and shall be signed by the arbitrator or arbitrators, or a majority of them, and shall be directed to the said person and shall be served in the same manner as subpoenas to appear and testify before the court; if any person or persons so summoned to testify shall refuse or neglect to obey said summons, upon petition the aforesaid court or the court in and for the district or county in which such arbitrators, or a majority of them, are sitting may compel the attendance of such person or persons before said arbitrator or arbitrators, or punish said person or persons for contempt in the same manner now provided for securing the attendance of witnesses or their punishment for neglect or refusal to attend in the courts of this State.

Article 7. Depositions. Upon petition, approved by the arbitrators or

by a majority of them, any court of record in and for the district or county in which such arbitrators, or a majority of them, are sitting, may direct the taking of depositions to be used as evidence before the arbitrators, in the same manner and for the same reasons as provided by law for the taking of depositions in suits or proceedings pending in the courts or record in this State.

Article 8. Award. The award must be in writing and must be signed by the arbitrators or by a majority of them.

Article 9. Motion To Confirm Award-Jurisdiction-Notice. At any time within one year after the award is made any party to the arbitration may apply to any court of appropriate jurisdiction over the parties and subject-matter for an order confirming the award and thereupon the court must grant such an order unless the award is vacated, modified, or corrected as prescribed in the next two sections. Notice in writing of the application shall be served upon the adverse party or his attorney five days before the hearing thereof.

Article 10. Motion To Vacate Award-Grounds-Rehearing. In either of the following cases any court of parties and subject-matter shall, upon motion so to do by any party to the arbitration, enter an order vacating the award:

(a) Where the award was procured by corruption, fraud or undue means.

(b) Where there was evident partiality or corruption on the part of the arbitrators, or either of them.

(c) Where the arbitrators were guilty of misconduct in refusing to postpone the hearing, upon sufficient cause shown, or in refusing to hear evidence pertinent and material to the controversy; or of any other misbehavior by which the rights of any party have been prejudiced.

(d) Where the arbitrators exceeded their powers, or so imperfectly executed them that a mutual, final and definite award upon the subject-matter submitted was not made.

Where an award is vacated and the time within which the agreement required the award to be made has not expired the court may, in its

discretion, direct a rehearing by the arbitrators.

Article 11. Motion To Modify Or Correct Award. In either of the following cases any court of appropriate jurisdiction over the parties and subject matter shall, upon motion so to do by any party to the arbitration, enter an order modifying or correcting the award.

(a) Where there was an evident material miscalculation of figures or an evident material mistake in the description of any person, thing, or property referred to in the award.

(b) Where the arbitrators have awarded upon a matter not submitted to them unless it is a matter not affecting the merits of the decision upon the matters submitted.

(c) Where the award is imperfect in matter of form not affecting the merits of the controversy.

The order must modify and correct the award, so as to effect the intent thereof and promote justice between the parties.

Article 12. Judgment Upon Award. Upon the granting of an order confirming, modifying or correcting an award, judgment may be entered in conformity therewith in the court wherein the order was granted. Hearings upon any motion after it is filed upon which any such order shall be entered shall be heard by the court in the manner and times prescribed for motions for new trial presented to that court.

Article 13. Notice Of Motions-When Made-Service-Stay Of Proceedings. Notice of a motion to vacate, modify, or correct an award must be served upon the adverse party or his attorney within three months after the award is filed or delivered, as prescribed by law for service of notice of a motion in an action. For the purposes of the motion any judge who might make an order to stay the proceedings in an action brought in the same court may make an order, to be served with the notice of motion, staying the proceedings of the adverse party to enforce the award.

Article 14. Record-Filing-Judgment-Effect And Enforcement. Any party to a proceeding for an order confirming, modifying or correcting an award shall, at the time such order is filed with the clerk for the entry of judgment thereon, also file

the following papers with the clerk:

(a) The agreement, the selection or appointment, if any, of an additional arbitrator or umpire, and each written extension of the time, if any, within which to make the award.

(b) The award.

(c) Each notice, affidavit, or other paper used upon an application to confirm, modify or correct the award, and a copy of each order of the court upon such an application.

The judgment shall be docketed as if it was rendered in an action. The judgment so entered shall have the same force and effect, in all respects as, and be subject to all the provisions of law relating to, a judgment in an action; and it may be enforced as if it had been rendered in an action in the court in which it is entered.

Article 15. Appeals. An appeal may be taken from an order confirming, modifying, correcting or vacating an award, or from a judgment entered upon an award, as from an order or judgment in an action.

Article 16. Ancillary Proceedings-Stay of Same Pending Arbitration. Ancillary proceedings prior to judgment such as garnishment and attachment may be instituted and prosecuted pending arbitration, for which purpose a petition may be filed, showing pendency of arbitration, which petition may be filed in any court having appropriate jurisdiction of parties and subject-matter, proceedings on which petition may be stayed until final judgment on the award. The ancillary proceedings may, by order of the court, be stayed pending such final judgment or may meanwhile be determined subject to such judgment as the court may in its discretion order.

Article 17. Invalidity Of Any Part Of This Act Not Affecting Validity Of Any Other Part. The invalidity of any section or sections or part or parts of any section or sections shall not affect the validity of the remaining parts of this statute for any reason.

Sec. 3. The fact that other existing arbitration statutes have been adopted in other states and by the Federal Government establishing a modern method of determining civil controversies without trials in court

and that Texas citizens are at a disadvantage in not having such procedure; the fact that under the present Texas statute a contract between parties who desire to arbitrate their future differences thereunder is unenforceable and accordingly arbitration being available only when parties agree to arbitrate specific controversies after they arise, the present Texas statute is practically in disuse, and the fact that the expense to the State of affording courts for determining controversies that might be settled by arbitration is increasingly becoming a burden upon the taxpayer; create an emergency and imperative public necessity exists that the constitutional law requiring bills to be read on three several days be and the same is hereby suspended and that this act take effect and be in force from and after its passage and it is so enacted.

Committee Room,
Austin, Texas, May 13, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 118, A bill to be entitled "An Act to amend Title 55 of the Revised Civil Statutes of the State of Texas, 1925, by adding thereto Article 3769a, providing that in the trial of any civil suit or proceeding in any Justice Court, County Court or District Court of this State, either the Plaintiff or the Defendant shall have the right to call as a witness the adverse party or parties and further providing that the answers of such adverse party as a witness shall not deprive the other party of the right to introduce other evidence or impeach the witness or the witness' testimony and further providing that in the examination of such adverse party as a witness, the questions asked may be leading."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal.

WOODWARD, Chairman.

By Williamson. S. B. No. 118.

A BILL
To Be Entitled
An Act to amend Title 55, of the Revised Civil Statutes of the State of

Texas, 1925, by adding thereto Article 3769a providing that in the trial of any civil suit or proceeding in any justice court, county court or district court of this State either the plaintiff or the Defendant shall have the right to call as a witness the adverse party or parties and further providing that the answers of such adverse party as a witness shall not deprive the other party of the right to introduce other evidence or impeach the witness or the witness' testimony and further providing that in the examination of such adverse party as a witness, the questions asked may be leading.

Be it enacted by the Legislature of the State of Texas:

Section 1. In the trial of any civil suit or proceedings now pending or hereafter filed in any justice court, county court or district court of this State any party, plaintiff or defendant, shall have the right to call as a witness in his behalf any other individual who is a party to such suit or proceeding either as plaintiff or defendant, and if such other party be a corporation then any officer or director of such corporation may be called as a witness with like effect as if they were individual parties to such suit or proceeding; and any such witness may be examined by the party calling the witness, and if such witness gives testimony adverse to the party calling him, the party so calling such adverse witness shall not be bound to accept the testimony of such adverse witness as true, but shall have the right to impeach such witness and the testimony of such witness and shall have the right to introduce other evidence upon any issue involved in such suit or proceeding without regard to the testimony of such adverse witness; and in examining any such adverse witness leading questions may be asked.

Sec. 2. The foregoing Section 1 shall be considered as an amendment to Title 55, of the Revised Civil Statutes of Texas, 1925, and shall be known, cited and referred to as Article 3769a of the Revised Civil Statutes of Texas.

Sec. 3. The fact that the right of a party to a suit to examine other and adverse parties without being bound by their testimony will

shorten the length of trials and expedite the final disposition of many suits now pending in the courts of this State, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and said rule is hereby suspended and this Act shall be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 122, A bill to be entitled "An Act to amend Article 2372 of Title 44, Revised Civil Statutes of Texas of 1925, providing for pay of court interpreters and prescribing such."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal.

WOODWARD, Chairman.

By Parr.

S. B. No. 122.

A BILL

To Be Entitled

An Act to amend Article 2372 of Title 44, Revised Civil Statutes of Texas of 1925, providing for pay of court interpreters and prescribing such.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 2372 of the Revised Civil Statutes of Texas of 1925 be amended so as to hereafter read as follows:

Article 2372. Interpreters. Each commissioners' court may pay an interpreter for his services as such in any court within their county only for the time he is actually employed not to exceed Five (\$5.00) dollars a day, to be paid out of the General Fund upon proper warrant issued by the court or clerk thereof. (Acts 4th C. S. 1918, P. 26.)

Committee Room,
Austin, Texas, May 13, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

8—Jour.

S. B. No. 123, A bill to be entitled "An Act to amend Article 7622 of the Revised Civil Statutes of the State of Texas, Revision of 1925, by enlarging and extending the purposes for which Water Improvement Districts created or operating under said Chapter may issue bonds, by providing that said districts may contract with other districts for a water supply and may purchase or make such improvements as may be necessary to receive and distribute such water supply and may incur indebtedness to fully carry out each and all of the purposes of its organization and issue bonds in payment therefor, and to amend Chapter 2, Title 128, Revised Civil Statutes of Texas of 1925, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal and not otherwise.

STEVENSON, Chairman.

By Parr.

S. B. No. 123.

A BILL

To Be Entitled

An Act to amend Article 7622 of the Revised Civil Statutes of the State of Texas, Revision of 1925, by enlarging and extending the purposes for which Water Improvement Districts created or operating under said Chapter may issue bonds, by providing that said districts may contract with other districts for a water supply and may purchase or make such improvements as may be necessary to receive and distribute such water supply and may incur indebtedness to fully carry out each and all of the purposes of its organization and issue bonds in payment therefor, and to amend Chapter 2, Title 128, Revised Civil Statutes of Texas of 1925, by adding thereto Articles 7653a and 7653b, authorizing districts organized or operating under said Chapter to enter into any obligation or contract with any other district for the construction, operation and maintenance of the necessary works for the delivery and distribution of water therefrom or for the drainage of district lands

and to contract with such other districts for a water supply and to construct or purchase the necessary works to receive and distribute such water and to issue bonds and expend the proceeds thereof in payment therefor; prescribing the conditions of and manner of issuance of such bonds, fixing the terms and form of such contracts, and providing for the recording and amendment thereof, and expressly validating all such contracts heretofore entered into and the bonds voted or issued thereunder, and further, within the limitations of the Constitution of Texas, repealing all laws and parts of laws, whether General or Special, which may, and insofar as they may, conflict with the provisions and objects of this Act, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 7622 of the Revised Civil Statutes of the State of Texas, Revision of 1925, be and the same is hereby amended so that the same shall hereafter read as follows:

"Article 7622. Water Improvement District Established. The county commissioners' court of any county in this State at any regular or called session thereof may establish one or more water improvement districts in their respective counties, or parts of such districts therein, in the manner hereinafter provided. Such districts may or may not include within their boundaries, villages, towns, cities, and municipal corporations, or any part thereof, but no land shall be at the same time included within the boundaries of more than one water improvement district created under this chapter. Such districts when so established may make improvements or may purchase improvements already existing, or may purchase improvements and make additions thereto, or may contract with any other water improvement district, water control and improvement district, or any conservation and reclamation district for a water supply and may purchase or make such improvements as may be necessary to receive and distribute such water supply, and may incur indebtedness to fully carry out each and all of the purposes of its organ-

ization, and may issue bonds in payment therefor, as herein provided. Such districts being authorized to provide for the irrigation of the land included therein, and when operating under Section 59 of Article 16 of the Constitution, furnish water for domestic, power and commercial purposes. Such districts may be formed for cooperation with the United States under the Federal Reclamation Laws for the purpose of the construction of irrigation works, including drainage works, necessary to maintain the irrigability of the land for the purchase, extension, operation or maintenance of constructed works or for the assumption, as principal or guarantor, of indebtedness to the United States on account of district lands.

Sec. 2. That Chapter 2, Title 128, of the Revised Civil Statutes of the State of Texas, Revision of 1925, be amended by adding thereto new sections to be known as Article 7653a and 7653b, as follows:

"Article 7653a. The Board of Directors, on behalf of said district, may enter into any obligation or contract with any other water improvement district, water control and improvement district or any conservation and reclamation district for the construction, operation and maintenance of the necessary works for the delivery and distribution of water therefrom, or for the drainage of district lands; and the Board of Directors may contract with such other water improvement district, water control and improvement district or conservation and reclamation district for a water supply to be pumped and supplied by such other district, on such terms and conditions as may be agreed on by the boards of directors of said contracting districts, and may purchase or make any improvements necessary to receive and distribute such water supply to the lands in said district for the purposes for which such district was organized.

The terms and conditions of such contracts shall not conflict with the provisions of law providing for the organization and conduct of districts but may include provisions for joint construction and operation of the necessary works for the delivery and distribution of said water supply. Such contracts may be amended by

mutual agreement of the Boards of Directors of the contracting districts.

Such contracts shall be in writing, shall be acknowledged in the same manner and form as is required by law for the conveyance of real estate and shall be recorded in the real estate records of the county or counties in which such districts are situated. Such districts may issue bonds and expend the proceeds thereof to effectuate the purposes herein set forth and in payment of the obligations of said contracts.

Such bonds may be issued either separately or as part of a general bond issue of the district, in the manner and subject to all the regulations, terms, conditions and provisions of other bonds authorized to be issued under the terms of this chapter, and of the Acts amendatory thereof and supplementary thereto, except as in this Act otherwise provided."

"Article 7653b. Where districts organized under this Chapter have heretofore entered into contracts such as are authorized in this Act, said contracts and all acts and proceedings connected therewith are hereby confirmed, ratified and validated, as of the respective times and dates of such contracts, acts and proceedings, with like effect as though at the time said contracts were entered into and said acts and proceedings were done or had there existed statutory authority therefor, and all bonds voted or issued by said districts for the purpose of securing, complying with and carrying out the terms of, said contracts are hereby validated and declared to be legal and binding obligations of such several districts, according to their terms, and such bonds may be issued and sold in the form and manner and at the price and under the conditions prescribed by law.

Sec. 3. Be it further enacted, that within the limitations of the Constitution of Texas, all laws and parts of laws, General or Special, which may, and insofar as the same may, conflict with the provisions and objects of this Act, are hereby repealed.

Sec. 4. The fact that the creation, operation and use of water by water improvement districts result in the material benefit and improvement of the State of Texas, and in the increase of taxable values of the prop-

erty therein, resulting in great benefit to the State, and the fact that the present law relating to such districts is inadequate, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be and the same is hereby suspended, and that this Act take effect and be in force from and after the passage thereof, and it is so enacted.

THIRTEENTH DAY.

Senate Chamber,
Austin, Texas.

Tuesday, May 14, 1929.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Hyer. Russek.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Holbrook:

S. B. No. 134, A bill to be entitled "An Act creating Brazoria County Drainage District No. 5."

Read first time and referred to Committee on Mining, Irrigation and Drainage.